

MEDICAL MARIJUANA TASK FORCE

Alex Kreit, Chair

Stephen Whitburn, Vice Chair

MINUTES FOR

FRIDAY, OCTOBER 30, 2009, AT 9:00 A.M.

COMMITTEE ROOM (12TH FLOOR),

CITY ADMINISTRATION BUILDING

202 C STREET, SAN DIEGO, CALIFORNIA

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Meeting called to order by Chair Alex Kreit at 9:04 A.M. with eight members present. Mark-Robert Bluemel arrived at 9:07 A.M, John Minto arrived at 9:10 A.M. and Craig Balben arrived at 9:14 A.M.

NON-AGENDA PUBLIC COMMENT:

Assistant Police Chief Cesar Solis introduced himself and Captain Guy Swanger to the Task Force and said they will make themselves available to work with the Task Force when work begins on law enforcement guidelines.

Rudy Reyes, Craig Beresh, Stephen Wheeler, Joe LaCava, David Caspino, Scott Chipman, and John Leone all turned in speaker slips. Jeremy Marshall, Carol Lilly, Rich Hertz, Bill West, Terrie Best, and James Stacy all ceded their time to Don Duncan.

TASK FORCE COMMENT:

Rev. Wayne Riggs toured a few dispensing cooperatives and collectives

CITY ATTORNEY AND IBA STAFF COMMENT:

None

APPROVAL OF THE MINUTES:

Chair Alex Kreit corrected the hours of operation under Item 3 from 9:00 A.M – 7:00 P.M. to 7:00 A.M. – 9:00 P.M.

- Motion by Dave Potter to approve the minutes as corrected, second by Rev. Riggs
- Vote: 10-0-1, Kim Twolan abstaining

INFORMATION ITEM:

ITEM 1 – Presentation of public opinion poll of City of San Diego residents conducted by Elizabeth Shield of Competitive Edge Research and Steven Francis of KeepComingBack.com

- Information only, no action taken

ACTION ITEMS:

ITEM 2 – Existence of dispensing cooperatives and collectives via a discretionary process or a hybrid “by right/discretionary” process or alternatives

- Motion by Larry Sweet to implement a two-tiered system where dispensing cooperatives and collectives with less than 100 members go through a Process 2 as described in Chapter 11 Article 2 Division 5 of the San Diego Municipal Code and dispensing cooperatives and collectives with 100 or more members go through a Process 3 as described in Chapter 11 Article 2 Division 5 of the San Diego Municipal Code; second by Rev. Riggs
- Vote: 9-2 (aye – Larry Sweet, John Minto, Dave Potter, Alex Kreit, Mark-Robert Bluemel, Kim Twolan, Craig Balben, Rev. Wayne Riggs, Dr. Tom Cummings; nay – Dave Martin and Stephen Whitburn)

ITEM 3 – Signage conditions to be placed on dispensing cooperatives and collectives

- Motion by John Minto to use San Diego’s current ordinance as described in Chapter 14 Article 2 Division 12 of the San Diego Municipal Code and that signs will not make any reference to “counter culture” ideas/stereotypes (i.e. large marijuana leaf) and will remain limited to just the name of the establishment and limited to two colors. Additionally, include from the Los Angeles County ordinance:
 - All dispensaries shall display on their wall sign or identification sign, the name and emergency contact phone number of the operator or manager in letters at least two inches in height
 - Dispensaries shall post a legible indoor sign in a conspicuous location containing the following warnings:
 - That the diversion of marijuana for non-medical purposes is a violation of state law;
 - That the use of medical marijuana may impair a person’s ability to drive a motor vehicle or operate machinery; and
 - That loitering on and around the dispensary site is prohibited by California Penal Code section 647(e).
- Vote: 11-0

ITEM 4 – Distance requirements to be placed on dispensing cooperatives and collectives

- a) Distance from schools, parks, recreational facilities, other similar entities
- Motion by Dave Potter to use the Los Angeles County guidelines stating: Dispensaries shall not be located within a 1,000-foot radius of schools, playgrounds, parks, libraries, places of religious worship, child care facilities, and youth facilities, including but not limited to youth hostels, youth camps, youth clubs, etc., and other similar uses; second by John Minto.
 - Motion to amend the ordinance by Stephen Whitburn to remove parks
 - Vote: 7-4 (aye – Larry Sweet, Alex Kreit, Stephen Whitburn, Mark-Robert Bluemel, Kim Twolan, Rev. Wayne Riggs, Dr. Tom Cummings; nay – John Minto, Dave Potter, Dave Martin, Craig Balben)
 - Motion to amend the ordinance by Stephen Whitburn to remove places of religious worship

- Vote: 7-4 (aye – Larry Sweet, Alex Kreit, Stephen Whitburn, Mark-Robert Bluemel, Kim Twolan, Rev. Wayne Riggs, Dr. Tom Cummings; nay – John Minto, Dave Potter, Dave Martin, Craig Balben)
 - Final motion: Dispensaries shall not be located within a 1,000-foot radius of schools, playgrounds, libraries, child care facilities, and youth facilities, including but not limited to youth hostels, youth camps, youth clubs, etc., and other similar uses
 - Vote: 8-3 (aye – Larry Sweet, Dave Potter, Alex Kreit, Stephen Whitburn, Mark-Robert Bluemel, Kim Twolan, Rev. Wayne Riggs, Dr. Tom Cummings; nay – John Minto, Dave Martin, Craig Balben)
- b) Distance from one another
 - Motion by Stephen Whitburn that dispensing cooperatives and collectives shall not be located within a 500-foot radius of other dispensing cooperatives and collectives
 - Vote: 9-2 (aye – Larry Sweet, John Minto, Dave Potter, Dave Martin, Alex Kreit, Stephen Whitburn, Mark-Robert Bluemel, Kim Twolan, Rev. Wayne Riggs; nay – Craig Balben, Dr. Tom Cummings)

DISCUSSION ITEM

ITEM 5 – Agenda items for next meeting

- Discussion only, no action taken